IN THE HIGH COURT OF PUNJAB AND HARYRNA AT CHANDIGARH

C.O.C.P. No.370 of 2005
Date of Decision:- 12.10.2006

Shashi Kumar ....Petitioner

through
Mr.Jagbir Malik, Advocate

vs.

Jayoti Arora & another ....Respondents

through
Mr.Narender Hooda, Advocate

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT

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SURYA KANT, J.

The petitioner, who was working as a Junior Engineer, on account of his conviction under Section 7/13 of the Prevention of Corruption Act, was removed from service on 24.4.2001. His conviction, however, was set aside by this Court in appeal vide judgment dated 6.3.2003. Thereafter, he represented for his reinstatement in service. The same having been turned down, he approached this Court by way of C.W.P.No.14375 of 2003. The above-stated writ petition was allowed by this Court vide judgment dated7.12.2004 whereby the petitioner was directed to be reinstated into service with full back-wages.

Alleging non-compliance of the aforesaid order, this contempt petition has been filed.

In response to the show cause notice, reply has been filed by Mr.H.C.Chaudhary, Chief Engineer (Operation) of UHBVN, Panchkula. In addition, Mr.Narender Hooda, learned counsel for the respondents has produced a photostat copy of order dated 11.9.2006 passed by the Hon'ble

Supreme Court in Special Leave Petition (Civil) No.11104 of 2005. In the said SLP, the above-mentioned judgment of this Court has been impugned. Their Lordships of the Supreme Court vide aforementioned interim order have stayed recovery of the back-wages "except for the period from 6.3.2003." A direction has also been issued to pay the back-wages for the period from 6.3.2003 within four weeks.

Mr.Narender Hooda, learned counsel, states that in compliance to the aforementioned order, the petitioner shall be paid back-wages from 6.3.2003 within a period of two weeks from today and if he is found entitled for any other consequential benefits the same shall also be granted to him within one month. Similarly, appropriate orders regarding his pay fixation shall also be passed.

In this view of the stand taken on behalf of the respondents, no further action is called for. Consequently, this petition is disposed of.

Rule discharged.

October 12, 2006 **(SURYA KANT)**
poonam **JUDGE**